

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JAIME JESUS SANCHEZ VAZQUEZ,

Petitioner,

v.

ICE FIELD OFFICE DIRECTOR, *et al.*,

Respondents.

Case No. C15-1856-RSM-BAT

**REPORT AND  
RECOMMENDATON**

Jaime Jesus Sanchez Vazquez, proceeding *pro se*, filed the instant habeas corpus petition under 28 U.S.C. § 2241, challenging the length of his detention at the Northwest Detention Center in Tacoma, Washington. Dkt. 3. Respondents moved to dismiss, arguing that Mr. Sanchez Vazquez was properly detained and had already received a bond hearing. Dkts. 8 & 12. Then on June 23, 2016, respondents informed the Court that petitioner had been removed to Mexico on April 12, 2016. Dkt. 13. Respondents maintain this matter is moot and should be dismissed. *Id.* The Court agrees.

Under Article III of the U.S. Constitution, federal courts may adjudicate only actual, ongoing cases or controversies. *Deakins v. Monaghan*, 484 U.S. 193, 199 (1988). “For a habeas petition to continue to present a live controversy after the petitioner’s release or deportation . . . there must be some remaining ‘collateral consequence’ that may be redressed by success on the

petition.” *Abdala v. I.N.S.*, 488 F.3d 1061, 1064 (9th Cir. 2007). Because Mr. Sanchez Vazquez’s habeas petition challenges only the length of his detention, his claims were fully resolved by release from custody. *See id.* at 1065. There is no collateral consequence that could be redressed by the Court, and Mr. Sanchez Vazquez’s habeas petition must be dismissed as moot. *See id.*

The Court recommends that respondents’ motion to dismiss as moot, Dkt. 13, be **GRANTED**; respondents’ motion to dismiss on the merits, Dkt. 8, be **DENIED** as moot; petitioner’s habeas petition, Dkt. 3, be **DENIED** as moot; and this action be **DISMISSED** without prejudice. A proposed order accompanies this Report and Recommendation.

This Report and Recommendation is not an appealable order. Therefore a notice of appeal seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the assigned District Judge enters a judgment in the case.

Objections, however, may be filed and served upon all parties no later than **July 12, 2016**. The Clerk should note the matter for **July 15, 2016**, as ready for the District Judge’s consideration if no objection is filed. If objections are filed, any response is due within 14 days after being served with the objections. A party filing an objection must note the matter for the Court’s consideration 14 days from the date the objection is filed and served. The matter will then be ready for the Court’s consideration on the date the response is due. Objections and responses shall not exceed five pages. Failing to timely object may affect the right to appeal.

DATED this 28th day of June, 2016.



---

BRIAN A. TSUCHIDA  
United States Magistrate Judge